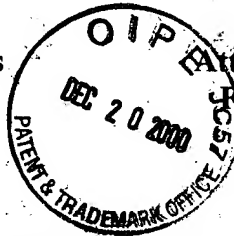


12-21-00 12-21-00 GAYL 12/20/00
CONTINUED PROSECUTION APPLICATION
(CPA REQUEST TRANSMITTAL)

Check Box, if applicable:
☐ Duplicate

Assistant Commissioner for Patents
Box CPA
Washington, DC 20231



Attorney Docket No. 9855-14U1 (TJU-1857)
First Named Inventor: Darwin J. Prockop
Express Mail Label No. EL631610238US
Total Pages of Transmittal Form: 2

This is a request under 37 CFR 1.53(d) for a continued prosecution application (CPA) which is a
☒ Continuation or ☐ Divisional of pending prior application 08/913,918, filed on December 8,
1997, and entitled

"Isolated Stromal Cells and Methods of Using the Same"

Anticipated Group/Art Unit 1633, or Class ____, Subclass ____

- ☐ Enter the unentered Amendment previously filed on ____ under 37 CFR 1.116 in the pending non-provisional application.
- ☐ Request for Nonpublication of Application Under 35 U.S.C. §122(b) (37 C.F.R. §1.213(a)).
- ☐ Substitute Specification.
- ☒ A Preliminary Amendment is enclosed.
- ☐ This application is filed by fewer than all the inventors named in the pending application, 37 CFR 1.53(d)(4). Delete the following inventor(s) named in the prior non-provisional application:
- ☐ A new Power of Attorney is enclosed.
- ☐ An Information Disclosure Statement, PTO-1449 and cited references are enclosed.
- ☐ New formal drawings are enclosed.
- ☐ A Petition for Extension of Time along with requisite fee is enclosed.
- ☐ Applicant(s), by its/their undersigned attorney, claim(s) Small Entity Status under 37 C.F.R. §1.27 as ☐ an Independent Inventor, or ☐ a Small Business Concern, or ☐ a Non-Profit Organization.
- ☒ Applicant(s), by its/their undersigned attorney, claim(s) Small Entity Status under 37 C.F.R. §1.27 as ☐ an Independent Inventor, or ☐ a Small Business Concern, or ☐ a Non-Profit Organization.
- ☐ Other:

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12/22/2000 SLUANG1 00000015 08913918

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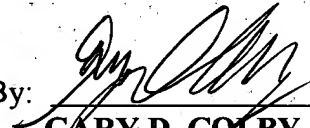
355.00 OP

The filing fee is calculated as follows:

			SMALL ENTITY			LARGE ENTITY	
CLAIMS	NO. FILED	NO. EXTRA	BASIC FEE: \$355			BASIC FEE: \$710	
Total	16-20 =	0	X\$9	\$ 0	OR	X\$18	\$
Independent	1- 3=	0	X\$40	\$ 0	OR	X\$80	\$
Multiple Dependent Claim(s) Present			\$135	\$	OR	\$270	\$
			TOTAL	\$ 355	OR	TOTAL	\$

- ☒ A check in the amount of **\$355.00** to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and/or credit **Deposit Account No. 50-1017 (Billing No. 209855.0057)** as noted below. A duplicate copy of this sheet is enclosed.
- ☒ Any overpayments or deficiencies in the above-calculated fee.
- ☐ Filing fee in the amount of \$ _____ as calculated above.
- ☒ Any additional fees required under 37 C.F.R. § 1.16 and § 1.17.
- ☒ In the event that a Petition for Extension of Time is required during the prosecution of this application, but not submitted, please charge any extension fee under 37 C.F.R. § 1.136(a) to our Deposit Account noted above.

CORRESPONDENCE ADDRESS:

20 December 2000 By: 
 (Date) **GARY D. COLBY, Ph.D., J.D.**
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:	Patent Application of Darwin J. Prockop <i>et al.</i>	Group Art Unit: 1633
Appln. No.:	08/913,918	Examiner: Janet M. Kerr, Ph.D.
Filed:	December 8, 1997	
For:	ISOLATED STROMAL CELLS AND METHODS OF USING THE SAME	Attorney Docket No. 9855-14U1 (209855.0057) (TJU-1857)

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PRELIMINARY AMENDMENT

This Preliminary Amendment accompanies a Continued Prosecution Application. Prior to calculation of fees for the Continued Prosecution Application, please amend the application as follows. This Preliminary Amendment and the accompanying Continued Prosecution Application are timely filed by virtue of the Petition for a Three-Month Extension of time filed in the parent application with the Amendment After Final rejection. A copy of that Petition is enclosed for the Examiner's information.

In the Claims:

Please cancel claims ~~1-36~~ and ~~39-54~~, without prejudice to inclusion of the subject matter of these claims in this or a subsequently filed patent application.

REMARKS

Claims 37, 38, and 55-68 are pending following entry of this Preliminary Amendment.

A Supplemental Preliminary Amendment will be filed within two months from the filing of this Preliminary Amendment. In the event that this